

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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*In re: PHARMACEUTICAL INDUSTRY*)  
AVERAGE WHOLESALE PRICE ) MDL No. 1456  
LITIGATION )  
  ) Civil Action No. 01-12257-PBS  
  )  
  )  
THIS DOCUMENT RELATES TO: ) Hon. Patti B. Saris  
  )  
  )  
*United States ex rel. Edward West, et al., v.* )  
*Ortho-McNeil Pharmaceutical, Inc.* )  
  )  
Subcategory Docket No. 06-12299-PBS )  
  )  
  )

**STATEMENT NOTING THE DEATH OF RELATOR EDWARD WEST**

Pursuant to Rule 25(a), undersigned counsel for defendant Ortho-McNeil Pharmaceutical, Inc., notes the death during the pendency of this action of Edward West, Relator. We are advised that Mr. West died of natural causes sometime between November 4 and November 10, 2008.

Date: December 8, 2008

Respectfully submitted,

ORTHO-MCNEIL PHARMACEUTICAL,  
INC.

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One of Its Attorneys

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**CERTIFICATE OF SERVICE**

I, Brad Robertson, certify that on December 8, 2008, I electronically filed the foregoing document with the Clerk of the Court for the District of Massachusetts using the court's CM/ECF system and served the same on the following individuals by depositing a copy in the U.S. mail, first-class postage pre-paid:

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